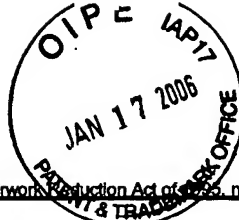
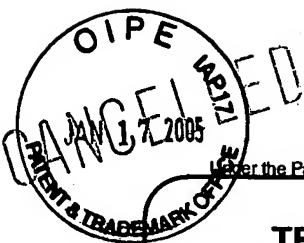


EFW

01-18-06



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

23

Application Number	10/623,933
Filing Date	July 21, 2003
First Named Inventor	James C. Smith
Art Unit	3727
Examiner Name	James N. Smalley
Attorney Docket Number	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<p>Remarks</p> <p>Reply to Notice of Non-Compliant Express Mail; EQ167914688 US Total: 22 pages + 1 (transmittal)</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	James C. Smith		
Date	January 17, 2006	Reg. No.	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	James C. Smith	Date	1-17-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ED 848208267 US
EQ 167914688 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
James C. Smith) James N. Smalley
) Group Art Unit: 3727
Serial No.: 10/623,933)
)
Filed : July 21, 2003)
)
For: CLOSURE DEVICE FOR CONTAINERS)

RESPONSE TO NOTICE OF NON-COMPLIANT

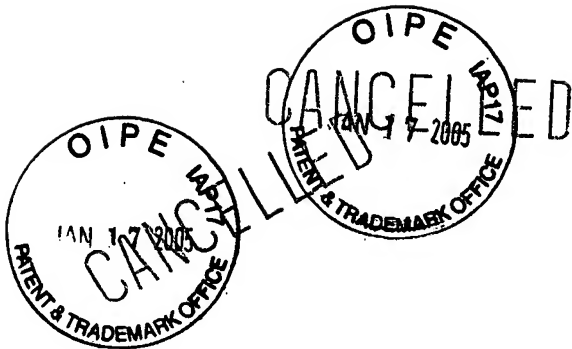
Box Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed December 21, 2005, the amendment mailed December 9, 2005 (**ED 848208267 US**) has been corrected to include the addition of the text for withdrawn claims 42-46.

James C. Smith

Date



ED 848208267 US
EQ 167914688 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
James C. Smith) James N. Smalley
Serial No.: 10/623,933) Group Art Unit: 3727
Filed : July 21, 2003)
For: CLOSURE DEVICE FOR CONTAINERS)

RESPONSE TO OFFICE ACTION

Box Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 10, 2005, please amend the above-identified application as follows:

SPECIFICATIONS: amendments to the specifications begin on page 3 of this Amendment.

CLAIMS: Amendment to the claims begins on page 4 of this Amendment.

REMARKS: Remarks begin on page 8 of this Amendment.